

REDEVELOPMENT AGENCY AGENDA
REDEVELOPMENT AGENCY MEETING OF: DECEMBER 21, 2005

- CALL TO ORDER

MINUTES:

CALLED TO ORDER BY CHAIRMAN GOODMAN AT 1:17 P.M.

PRESENT: CHAIRMAN GOODMAN and MEMBERS REESE, WOLFSON, TARKANIAN, and ROSS

EXCUSED: MEMBER BROWN

ALSO PRESENT: DOUG SELBY, Executive Director, BRAD JERBIC, City Attorney, and BARBARA JO RONEMUS, Secretary

- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

ANNOUNCEMENT MADE: Posted as follows:

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge

Bulletin Board, City Hall Plaza (next door to Metro Records)

Las Vegas Library, 833 Las Vegas Boulevard North

Clark County Government Center, 500 So. Grand Central Parkway

Grant Sawyer Building, 555 E. Washington Avenue

(1:37)

4-366

AGENDA SUMMARY PAGE
REDEVELOPMENT AGENCY MEETING OF: DECEMBER 21, 2005

DEPARTMENT: BUSINESS DEVELOPMENT

DIRECTOR: SCOTT D. ADAMS

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

RESOLUTIONS:

RA-16-2005 - DISCUSSION AND POSSIBLE ACTION REGARDING A RESOLUTION FINDING THE PROJECT PROPOSED BY THE COMMERCIAL VISUAL IMPROVEMENT PROGRAM (CVIP) AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY (RDA) AND PAR-MAN, INC., DBA LAS VEGAS TATTOOS AND SOUVENIR, LOCATED AT 509 EAST FREMONT STREET (APN 139-34-611-014), TO BE IN COMPLIANCE WITH AND IN FURTHERANCE OF THE GOALS AND OBJECTIVES OF THE REDEVELOPMENT AGENCY - WARD 5 (WEEKLY) [NOTE: THIS ITEM IS RELATED TO COUNCIL ITEM 79 (R-108-2005) AND RDA ITEM 2]

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

This is a related item to discussion and possible action regarding assisting Par-Man, Inc., dba Las Vegas Tattoos and Souvenir, with the cost of visual improvements for the building at 509 East Fremont Street. Approval will adopt findings that the Agreement is in compliance with and furtherance of the goals and objectives of the RDA and the Redevelopment Plan.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

1. Resolution No. RA-16-2005
2. Site Map

MOTION:

WEEKLY - APPROVED - UNANIMOUS with BROWN excused

MINUTES:

SCOTT ADAMS, Director, Office of Business Development, stated that City Council Item 79 is a resolution that consents to the actions to be taken by the Redevelopment Agency. The Redevelopment Agency Item 1 finds that the proposal is consistent with the goals of the Redevelopment Plan and no other reasonable funds are available for the effort. Redevelopment Agency Item 2 approves the Visual Improvement Program agreement with the prospective property owner, Par-Man, Inc., and authorizes funding up to \$50,000. This Visual Improvement Grant is for the tattoo and souvenir parlor located on Fremont Street. He referenced the before photograph and after rendering. The proposal will add considerable illuminated signage, consistent with the retro-Las Vegas image with a lot of neon signage. Staff recommends approval of all three items.

MS. SHEIKHAN discussed with MAYOR GOODMAN that this will be a partnership between the City and the property owner, shared dollar-for-dollar to make downtown a better place. She assured him that the Council will be happy with their property downtown.

REDEVELOPMENT AGENCY MEETING OF: DECEMBER 21, 2005

MINUTES - Continued:

NOTE: City Council Item 79 and Redevelopment Agency Items 1 and 2 for 12/21/2005 contain duplicate minutes.

(1:38 - 1:41)

4-381

AGENDA SUMMARY PAGE**REDEVELOPMENT AGENCY MEETING OF: DECEMBER 21, 2005**

DEPARTMENT: BUSINESS DEVELOPMENT**DIRECTOR: SCOTT D. ADAMS**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

DISCUSSION AND POSSIBLE ACTION REGARDING A COMMERCIAL VISUAL IMPROVEMENT PROGRAM (CVIP) AGREEMENT WITH PAR-MAN, INC., DBA LAS VEGAS TATTOOS AND SOUVENIR, PROVIDING FUNDS TO ASSIST WITH IMPROVEMENTS TO A COMMERCIAL BUILDING LOCATED AT 509 EAST FREMONT STREET, APN 139-34-611-014 (NOT TO EXCEED \$50,000 - REDEVELOPMENT AGENCY (RDA) SPECIAL REVENUE FUND) - WARD 5 (WEEKLY) [NOTE: THIS ITEM IS RELATED TO COUNCIL ITEM 79 (R-108-2005) AND RDA ITEM 1 (RA-16-2005)]

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$50,000.00
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division:	OBD/Redevelopment Agency
<input type="checkbox"/>	Augmentation Required	Funding Source:	RDA Special Revenue Fund

PURPOSE/BACKGROUND:

Par-Man, Inc., dba Las Vegas Tattoos and Souvenir, is the tenant of a commercial building located at 509 East Fremont Street. The building is currently open and the interior has been completely renovated. The exterior will also undergo a complete rehabilitation. The exterior will be replaced with two new neon signs, window display will be open for viewing from street, and facade work which includes new stucco and paint.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

1. Commercial VIP Agreement
2. Site Map

MOTION:**WEEKLY - APPROVED - UNANIMOUS with BROWN excused and WOLFSON not voting****MINUTES:**

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REDEVELOPMENT AGENCY MEETING OF: DECEMBER 21, 2005

MINUTES - Continued:

NOTE: City Council Item 79 and Redevelopment Agency Items 1 and 2 for 12/21/2005 contain duplicate minutes.

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4-381

AGENDA SUMMARY PAGE
REDEVELOPMENT AGENCY MEETING OF: DECEMBER 21, 2005

DEPARTMENT: BUSINESS DEVELOPMENT

DIRECTOR: SCOTT D. ADAMS

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

DISCUSSION AND POSSIBLE ACTION REGARDING AN EXCLUSIVE NEGOTIATION AGREEMENT BETWEEN THE LAS VEGAS REDEVELOPMENT AGENCY AND ALPHA OMEGA STRATEGIES, INC., FOR A CERTAIN PROPERTY LOCATED AT 1501 NORTH DECATUR, APN 138-25-503-006 - WARD 1 (TARKANIAN)

Fiscal Impact:

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The Redevelopment Agency staff has negotiated an Exclusive Negotiation Agreement (ENA) with Alpha Omega Strategies, Inc., that outlines the duties and responsibilities of all parties during the negotiation leading to a Development Agreement. The ENA allows up to 180 days to bring a Development Agreement for Redevelopment Agency Board approval.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Exclusive Negotiation Agreement, including Disclosure of Principals
3. Location Map

MOTION:

TARKANIAN - APPROVED - UNANIMOUS with BROWN excused

MINUTES:

SCOTT ADAMS, Director, Office of Business Development, outlined efforts with Alpha Omega for a senior housing project on the former Wonder World site. The former development partner is being replaced by a new partner and the project down sized to only the Wonder World site itself, not all the residential property to the rear of the Wonder World site. Given the new development partner and other substantive changes, staff is recommending a new agreement.

MICHAEL McDONALD, Alpha Omega Strategies, 4908 Carmen Boulevard, stressed the site's need for immediate attention. The new partner is BRUCE BAIN, who has developed over 3,000 acres in the City of Las Vegas. He is well known and very involved with various charitable entities and events. He jumped right on board for this type of a senior project. There are 10,000 seniors in Las Vegas without housing. The litigation over the residential properties to the rear could delay the project and it was determined to down size the overall project in order to move forward. He thanked MEMBER TARKANIAN for her support, along with the rest of the Board.

CHAIRMAN GOODMAN confirmed with MR. McDONALD and MR. ADAMS that there will be an assisted living component and that, once the litigation has been concluded, the properties will be purchased from the City at fair market, appraised value.

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MINUTES - Continued:

MEMBER TARKANIAN stressed the importance of a senior project of this type.

(1:41 - 1:47)

4-503

AGENDA SUMMARY PAGE
REDEVELOPMENT AGENCY MEETING OF: DECEMBER 21, 2005

DEPARTMENT: BUSINESS DEVELOPMENT**DIRECTOR: SCOTT D. ADAMS**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

DISCUSSION AND POSSIBLE ACTION REGARDING TWO ESTOPPEL CERTIFICATES TO HYPO REAL ESTATE CAPITAL CORPORATION AND BEAR STEARNS COMMERCIAL MORTGAGE, INC., CONCERNING THE FIRST AMENDED AND RESTATED OWNER PARTICIPATION AGREEMENT DATED JULY 7, 2004 WITH WORLD MARKET CENTER, LLC - WARD 5 (WEEKLY)

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

As part of the \$370 million construction loan for Phase 2 of the development, the construction lender to World Market Center, LLC, Hypo Real Estate Capital Corporation has requested that the Redevelopment Agency execute an Estoppel Certificate which certifies as to certain current matters regarding the First Amended and Restated Owner Participation Agreement dated July 7, 2004 (OPA). Also, as part of the \$225 million permanent loan for Phase I, the lender, Bear Stearns Commercial Mortgage, Inc., has requested that the Redevelopment Agency execute an Estoppel Certificate as to certain current matters regarding the OPA. The Agency staff has reviewed and confirmed the matters set forth in the Estoppel Certificates and receipt of the Recognized Lender Notices.

RECOMMENDATION:

It is recommended that the governing board of the Redevelopment Agency approve the two Estoppel Certificates: the first to Hypo Real Estate Capital Corporation and the second to Bear Stearns Commercial Mortgage, Inc.; and authorize the Chairperson to execute the same and any related documents.

BACKUP DOCUMENTATION:

1. Estoppel Certificate to Hypo Real Estate Capital Corporation
2. Estoppel Certificate to Bear Stearns Commercial Mortgage, Inc.
3. Disclosure of Principals

MOTION:

WEEKLY - APPROVED - UNANIMOUS with BROWN excused

MINUTES:

SCOTT ADAMS, Director, Office of Business Development, explained that the agreement with the World Market Center provides for rebates. The developer is working on financing commitments for Phases 1 and 2. Often lenders require an estoppel certificate that attests to the current status of the agreements and assurance that nothing under the agreements that would affect the lenders' position. Staff is seeking approval for two estoppel certificates, one for Phase 2 for \$370 million and the other for a permanent loan for Phase 1 for \$225 million. Estoppel certificates are generally handled administratively, but the agreement requires approval by this Board.

(1:47 - 1:49)

4-694

AGENDA SUMMARY PAGE
REDEVELOPMENT AGENCY MEETING OF: DECEMBER 21, 2005

DEPARTMENT: BUSINESS DEVELOPMENT

DIRECTOR: SCOTT D. ADAMS

☐ CONSENT ☒ DISCUSSION

SUBJECT:

DISCUSSION AND POSSIBLE ACTION REGARDING RATIFICATION OF SELECTION OF THE NEVADA SCHOOL OF THE ARTS PROPOSAL FOR THE ADAPTIVE REUSE OF PORTIONS OF THE FIFTH STREET SCHOOL, LOCATED AT 400 LAS VEGAS BOULEVARD SOUTH - WARD 1 (TARKANIAN)

Fiscal Impact:

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The Nevada School of the Arts Re-use Proposal for the Fifth Street School has met the criteria and conditions outlined by the Redevelopment Agency Board in its Request for Proposal and will fill a cultural, educational and commercial need within the rapidly growing downtown.

RECOMMENDATION:

Staff recommends selection of the Nevada School of the Arts Re-Use Proposal

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Nevada School of the Arts Proposal - Section 5
3. Disclosure of Principals
4. Site Map

MOTION:

TARKANIAN - APPROVED - UNANIMOUS with BROWN excused

MINUTES:

SCOTT ADAMS, Director, Office of Business Development, indicated that the request for proposals was issued to the community at-large, both private and non-profit, for the reuse of the Fifth Street School. The Nevada School of the Arts responded and this will allow the parties to move forward with exclusivity for negotiation of the various agreements to operate the facility. All future agreements will come back to the Redevelopment Agency Board.

DOUG VAN GILDER, Executive Director, Nevada School of the Arts, advised that the School has existed for 27 years and this will give it the opportunity to move to the front of a building. It will bring art and music education to the downtown area. It is a community school, offering scholarships and open to everyone in the community over the age of three.

MICHELE TOMLIARI, parent of two children who have attended the School for some time. Her son began playing piano at age six and her daughter playing violin at age three. They have both received a superior education through the School, gained self-confidence, persistence and many skills they would not otherwise have learned through NSA. She thanked the City.

HAROLD WELLER, Board member for the Nevada School of the Arts, attested to the wonderful work

REDEVELOPMENT AGENCY MEETING OF: DECEMBER 21, 2005

MINUTES - Continued:

of the school, both as a member and as the Music Director and Founder of the Las Vegas Philharmonic. Occupancy in the Fifth Street School will allow the School to blossom and provide programming for the people in the area. He wholeheartedly endorsed the proposal and encouraged support.

CHAIRMAN GOODMAN commented on the vitalization of the area and the contribution of 300 students learning to play violin. This represents the future of Las Vegas. MEMBER TARKANIAN agreed and pointed out that it may create other possibilities as well.

(1:49 - 1:54)

4-756

AGENDA SUMMARY PAGE
REDEVELOPMENT AGENCY MEETING OF: DECEMBER 21, 2005

DEPARTMENT: BUSINESS DEVELOPMENT

DIRECTOR: SCOTT D. ADAMS

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

DISCUSSION AND POSSIBLE ACTION REGARDING AN AMENDMENT TO OWNER PARTICIPATION AGREEMENT (OPA) BETWEEN THE LAS VEGAS REDEVELOPMENT AGENCY AND PH GSA LLC FOR IRS DISTRICT OFFICE LOCATED AT 110 CITY PARKWAY, APNS 139-27-410-006 AND 139-27-410-007 - Ward 5 (Weekly)

Fiscal Impact:

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

In January 2002, the Agency passed a Resolution giving consent to a Disposition and Development Agreement (DDA) with PH GSA LLC, including adoption of Resolution of Findings and authorizing chairperson of Redevelopment Agency to execute Exhibit K Owner Participation Agreement (OPA). The amendment will extend the time to issue the Special Limited Obligation Tax Increment Revenue Developer Note from three years to four years.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

1. Amendment To Owner Participation Agreement
2. Disclosure of Principals
3. Site Map

MOTION:

WEEKLY - APPROVED - UNANIMOUS with BROWN excused

MINUTES:

SCOTT ADAMS, Director, Office of Business Development, stated that the existing agreement with PH GSA for the development of the IRS building provides for a rebate now that the building is complete. Unfortunately it was discovered that there are conflicting dates within the agreement. Amending the agreement will allow for the delivery of the note from three to four years.

(1:54 - 1:55)

4-916

AGENDA SUMMARY PAGE
REDEVELOPMENT AGENCY MEETING OF: DECEMBER 21, 2005

DEPARTMENT: BUSINESS DEVELOPMENT

DIRECTOR: SCOTT D. ADAMS

☐ **CONSENT**

☒ **DISCUSSION**

SUBJECT:

ABEYANCE ITEM - REPORT AND POSSIBLE ACTION REGARDING REDEVELOPMENT AGENCY PROJECTS CURRENTLY UNDER CONTRACT OR IN NEGOTIATION - WARDS 1, 3 AND 5 (TARKANIAN, REESE AND WEEKLY)

Fiscal Impact:

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

To update the Redevelopment Agency Board on Redevelopment Agency projects currently under binding contracts with owners, developers, and consultants, or in negotiation, and to receive input from the Redevelopment Agency Board on the progress of projects as warranted.

RECOMMENDATION:

Accept report.

BACKUP DOCUMENTATION:

None

MOTION:

WEEKLY - STRICKEN - UNANIMOUS with BROWN excused

MINUTES:

SCOTT ADAMS, Director of the Office of Business Development, pointed out the actions on the agenda updated almost a third of the projects. Given the time of day, he recommended the item be stricken.

MEMBER WEEKLY commented that the briefings received by the members is very helpful. Perhaps any issues with a particular project could be combined into the City Manager's report to the Council. CHAIRMAN GOODMAN added that the projects are so exciting and it would be good to inform the public as well.

(1:55 - 1:57)

4-964

AGENDA SUMMARY PAGE

REDEVELOPMENT AGENCY MEETING OF: DECEMBER 21, 2005

CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE REDEVELOPMENT AGENCY. NO SUBJECT MAY BE ACTED UPON BY THE REDEVELOPMENT AGENCY UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

MINUTES:

EDDIE REDUM, Puppy Love Direct, commented on the homeless who have died. He suffered victimization and homelessness because of the actions of others. The Judge made him an indentured servant. He requested the Board use their power to protect the citizens. The citizens are more important than the Board or businesses like the Towbins. He intends to use the patents he has obtained to buy land and share his profits with the poor and needy.

(1:57 - 2:02)

4-1033

DOROTHY BARNES protested that the average person cannot afford the high-rise condominiums. She questioned how these buildings are sold out before they are even built.

(2:02 - 2:04)

4-1180

MICHAEL PITZEL, Las Vegas resident, stated he had previously reported on criminal activities by a significant individual that is impacting the City of Las Vegas. There was a complete lack of response by this Board as well as DETECTIVES TRIMMEL and MONAHAN. How much does the interests of gaming affect criminal investigations? CHAIRMAN GOODMAN confirmed that MR. PITZEL had contacted the Marshal. The City does not have jurisdiction over Metro.

(2:04 - 2:06)

4-1254

DARRELL O'SHEA MILLIGAN asked that the City address the anti-American Patriot Act on an agenda and notify the public when the discussion will occur.

(2:06 - 2:07)

4-1394

THE MEETING ADJOURNED AT 2:07 P.M.

Respectfully submitted:

Ydoleena Yturralde, Deputy City Clerk
December 28, 2005



REDEVELOPMENT AGENCY MEETING OF: DECEMBER 21, 2005

MINUTES - Continued:

Barbara Jo Ronemus, Secretary